(17)

No. 05-85
Title: Powerex Corp., Petitioner
v.
Reliant Energy Services, Inc., et al.
Docketed: July 18, 2005
Lower Ct: United States Court of Appeals for the Ninth Circuit
Case Nos.: (02-57200, 02-57202, 02-57210, 03-55118, 03-55131, 03-55176, 03-55241, 03-55249, 03-55266, 03-55319, 03-55322, 03-55349)
Decision Date: December 8, 2004
Rehearing Denied: March 3, 2005
Questions Presented

~~Date~~~	~~~~~~~~Proceedings and Orders~~~~~~~~~~~~~~~~~~~~
May 20 2005	Application (04A985) to extend the time to file a petition for a writ of certiorari from June 1, 2005 to July 1, 2005, submitted to Justice O'Connor.
May 23 2005	Application (04A985) granted by Justice O'Connor extending the time to file until July 1, 2005.
Jun 20 2005	Application (04A985) to extend further the time from July 1, 2005 to July 31, 2005, submitted to Justice O'Connor.
Jun 22 2005	Application (04A985) granted by Justice O'Connor extending the time to file until July 15, 2005.
Jul 15 2005	Petition for a writ of certiorari filed. (Response due August 17, 2005)
Jul 15 2005	Appendix of Powerex Corp. filed.
Jul 29 2005	Waiver of right of respondent PPL Montana, LLC to respond filed.
Aug 2 2005	Waiver of right of respondent Portland General Electric Company to respond filed.
Aug 5 2005	Waiver of right of respondent Morgan Stanley Capital Group Inc. to respond filed.
Aug 8 2005	Brief of respondent Reliant Energy Services, Inc. in support of the petition filed.
Aug 11 2005	Waiver of right of respondents Arizona Electric Power Cooperative, Inc., et al. to respond filed.
Aug 15 2005	Waiver of right of respondent MIECO, Inc. to respond filed.
Aug 15 2005	Waiver of right of respondents Sempra Energy Trading, Corp., et al. to respond filed.
Aug 16 2005	Waiver of right of respondents California, et al. to respond filed.
Aug 17 2005	Motion for leave to file amicus brief filed by Province of British Columbia.
Aug 17 2005	Motion for leave to file amicus brief filed by Government of Canada.
Aug 31-2005	DISTRIBUTED for Conference of September 26, 2005.
Sep 7 2005	Response Requested . (Due October 7, 2005)
Oct 3 2005	Order extending time to file response to petition to and including December 6, 2005.
Dec 6 2005	Brief of Plaintiffs and Respondents in opposition filed.
Dec 20 2005	Reply of petitioner Powerex Corp. filed. (Distributed)
Dec 21 2005	DISTRIBUTED for Conference of January 6, 2006.
Jan 5 2006	Supplemental brief of plaintiffs and respondents in opposition to petition filed. (Distributed)
Mar 22 2006	DISTRIBUTED for Conference of April 14, 2006.
Apr 17 2006	The Solicitor General is invited to file a brief in this case expressing the views of the

United States.

Nov 14 2006 Brief amicus curiae of United States filed. VIDED.

Nov 21 2006 DISTRIBUTED for Conference of December 7, 2006.

Nov 27 2006 Response of plaintiffs and respondents to brief of United States as amici curiae filed.

Dec 27 2006 DISTRIBUTED for Conference of January 12, 2007.

Jan 16 2007 DISTRIBUTED for Conference of January 19, 2007.

Jan 19 2007 Motion for leave to file amicus brief filed by Province of British Columbia GRANTED.

Jan 19 2007 Motion for leave to file amicus brief filed by Government of Canada GRANTED.

Jan 19 2007 Petition GRANTED limited to Question 1 presented by the petition. In addition, the parties are directed to brief and argue the following Question: Whether the court of appeals had jurisdiction to review the district court's remand order, notwithstanding 28 U. S. C. Sec. 1447(d).

Feb 5 2007 SET FOR ARGUMENT ON Monday, April 16, 2007.

Feb 13 2007 Letter from counsel for respondent PPL Montana, LLC waiving their right to file a brief on the merits.

Feb 16 2007 Joint appendix filed.

Feb 16 2007 Brief of petitioner Powerex Corp. filed.

Feb 20 2007 Record received from U.S.D.C. for Southern District of California. (2 boxes)

Feb 20 2007 Letter from counsel for respondents Arizona Electric Power Cooperative, Inc., et al. waiving their right to file a brief on the merits.

Feb 21 2007 Record received from U.S.C.A. for 9th Circuit. (1 box)

Mar 2 2007 Letter from counsel for respondent Reliant Energy Services, Inc. waiving their right to file a brief on the merits.

Mar 5 2007 Brief amicus curiae of Government of Canada filed.

Mar 5 2007 Brief amicus curiae of United States filed.

Mar 5 2007 Brief amicus curiae of Province of British Columbia filed.

Mar 7 2007 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument filed.

Mar 16 2007 CIRCULATED.

Mar 19 2007 Extension of time within which to file respondents' brief on the merits to and including March 26, 2007.

Mar 23 2007 Brief amici curiae of Law Professors Arthur R. Miller, Erwin Chemerinsky, Michael E. Solimine, Adam N Steinman, E. Farish Percy, and Rhonda Wasserman filed. (Distributed)

Mar 26 2007 Brief of respondents Plaintiffs-Respondents filed. (Distributed)

Apr 2 2007 Motion of the Solicitor General for leave to participate in oral argument as amicus curiae and for divided argument GRANTED.

Apr 6 2007 Reply of petitioner Powerex Corp. filed. (Distributed)

Apr 16 2007 Argued. For petitioner: David C. Frederick, Washington, D.C.; and Douglas Hallward-Driemeier, Assistant to the Solicitor General, Department of Justice, Washington, D.C. (for United States, as amicus curiae.) For respondents: Leonard B. Simon, San Diego, Cal.